



STATE OF CONNECTICUT

INSURANCE DEPARTMENT DEPARTMENT OF MENTAL HEALTH & ADDICTION SERVICES

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July 8, 2013

Mayor Scott Jackson, Chairman
Sandy Hook Advisory Commission
Hamden Government Center
2750 Dixwell Avenue
Hamden, Connecticut 06518

Re: Mental Health Parity/
Requirements for Health Insurers

Dear Mayor Jackson:

The Connecticut Insurance Department and the Connecticut Department of Mental Health and Addiction Services respectfully want to offer a suggestion, relating to requirements for health insurers, for consideration by the Commission.

As you know, a large percentage of Connecticut residents are covered under commercial health insurance, which is subject to state and federal mental health parity laws, but still some gaps exist. Our proposal is intended to fill those gaps.

Specifically we propose that the legislature convene a study group to recommend and develop proposed legislation defining mental health "non-quantitative" requirements that health insurers and HMOs must meet.

Currently, the mental health parity rules on quantitative requirements are clear and can be aggressively enforced by the Connecticut Insurance Department and by federal regulators. Quantitative rules prohibit different dollar amounts or visit limits for mental health services compared to other health services, and are relatively straight forward for regulators to spot and take appropriate action.

With respect to non-quantitative requirements of mental health parity, however, federal regulators have provided only limited guidance. Non-quantitative requirements of mental health parity are those related to medical management and application of medical necessity rules to varying clinical situations. Non-quantitative matters involve utilization review of services which is a process to determine medically necessary care (for which a health insurer will reimburse), prior to obtaining services, as well as during a continuance of services and thereafter.

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We believe Connecticut could become a leader in this area, by developing and defining clear specific criteria for non-quantitative requirements under mental health parity, which health insurers and HMOs operating in Connecticut must follow. In our view, it is appropriate to act expeditiously, rather than wait for possible further federal action. As Connecticut moves forward in light of the Sandy Hook tragedy, to address mental health issues, gun safety issues and school safety issues, we also recommend developing and proposing tighter rules for health insurers and HMOs providing mental health benefits to Connecticut individuals and employers.

The Connecticut Insurance Department and the Connecticut Department of Mental Health and Addiction Services would be happy to provide our time and resources to act as co-chairs of a study group, if so established by the legislature. Our plan would include soliciting expertise from University of Connecticut Health Center and the American Psychiatric Association and its Connecticut chapter, and seeking input from other state agencies and stake-holders, as well, in developing the requirements.

We discussed this proposal on a high level basis with several members of Connecticut's Congressional delegation, and they expressed considerable interest and strong support. (We will be reaching out very soon to the remaining members of the delegation.)

Please let us know if you would like more information on our proposal. Also, we would be pleased to meet in person and answer questions, if that would be helpful.

Thank you in advance for your consideration of our suggestion.



Anne Melissa Dowling
Deputy Commissioner
Insurance Department



Patricia A. Rehmer, MSN
Commissioner
Dept. of Mental Health & Addiction Svcs.

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